

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):     TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____</b> STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PLAINTIFF: _____ DEFENDANT: _____ <input type="checkbox"/> DOES 1 TO _____	
<b>COMPLAINT — UNLAWFUL DETAINER*</b> <input type="checkbox"/> COMPLAINT <input type="checkbox"/> AMENDED COMPLAINT (Amendment Number): _____	CASE NUMBER: _____
<b>Jurisdiction (check all that apply):</b> <input type="checkbox"/> <b>ACTION IS A LIMITED CIVIL CASE</b> Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000 but does not exceed \$25,000  <input type="checkbox"/> <b>ACTION IS AN UNLIMITED CIVIL CASE (amount demanded exceeds \$25,000)</b> <input type="checkbox"/> <b>ACTION IS RECLASSIFIED by this amended complaint or cross-complaint (check all that apply):</b> <input type="checkbox"/> from unlawful detainer to general unlimited civil (possession not in issue) <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlawful detainer to general limited civil (possession not in issue) <input type="checkbox"/> from unlimited to limited	

1. PLAINTIFF (name each):

alleges causes of action against DEFENDANT (name each):

2. a. Plaintiff is (1) ☐ an individual over the age of 18 years. (4) ☐ a partnership.  
           (2) ☐ a public agency. (5) ☐ a corporation.  
           (3) ☐ other (specify): \_\_\_\_\_
- b. ☐ Plaintiff has complied with the fictitious business name laws and is doing business under the fictitious name of (specify): \_\_\_\_\_
3. Defendant named above is in possession of the premises located at (street address, apt. no., city, zip code, and county): \_\_\_\_\_
4. Plaintiff's interest in the premises is ☐ as owner ☐ other (specify): \_\_\_\_\_
5. The true names and capacities of defendants sued as Does are unknown to plaintiff.
6. a. On or about (date): \_\_\_\_\_ defendant (name each): \_\_\_\_\_

- (1) agreed to rent the premises as a ☐ month-to-month tenancy ☐ other tenancy (specify): \_\_\_\_\_  
 (2) agreed to pay rent of \$ \_\_\_\_\_ payable ☐ monthly ☐ other (specify frequency): \_\_\_\_\_  
 (3) agreed to pay rent on the ☐ first of the month ☐ other day (specify): \_\_\_\_\_
- b. This ☐ written ☐ oral agreement was made with  
 (1) ☐ plaintiff. (3) ☐ plaintiff's predecessor in interest.  
 (2) ☐ plaintiff's agent. (4) ☐ other (specify): \_\_\_\_\_

\* **NOTE:** Do not use this form for evictions after sale (Code Civ. Proc., § 1161a).

PLAINTIFF (Name): _____ DEFENDANT (Name): _____	CASE NUMBER: _____
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6. c. ☐ The defendants not named in item 6a are
- (1) ☐ subtenants.
  - (2) ☐ assignees.
  - (3) ☐ other (specify): \_\_\_\_\_
- d. ☐ The agreement was later changed as follows (specify): \_\_\_\_\_
- e. ☐ A copy of the written agreement, including any addenda or attachments that form the basis of this complaint, is attached and labeled Exhibit 1. *(Required for residential property, unless item 6f is checked. See Code Civ. Proc., § 1166.)*
- f. ☐ *(For residential property)* A copy of the written agreement is **not** attached because (specify reason):
- (1) ☐ the written agreement is not in the possession of the landlord or the landlord's employees or agents.
  - (2) ☐ this action is solely for nonpayment of rent (Code Civ. Proc., § 1161(2)).

7. ☐ a. Defendant (name each):

was served the following notice on the same date and in the same manner:

- |   |  |
|---|--|
| (1) <input type="checkbox"/> 3-day notice to pay rent or quit | (4) <input type="checkbox"/> 3-day notice to perform covenants or quit |
| (2) <input type="checkbox"/> 30-day notice to quit            | (5) <input type="checkbox"/> 3-day notice to quit                      |
| (3) <input type="checkbox"/> 60-day notice to quit            | (6) <input type="checkbox"/> Other (specify): _____                    |

- b. (1) On (date): \_\_\_\_\_ the period stated in the notice expired at the end of the day.
- (2) Defendants failed to comply with the requirements of the notice by that date.

c. All facts stated in the notice are true.

d. ☐ The notice included an election of forfeiture.

e. ☐ A copy of the notice is attached and labeled Exhibit 2. *(Required for residential property. See Code Civ. Proc., § 1166.)*

f. ☐ One or more defendants were served (1) with a different notice, (2) on a different date, or (3) in a different manner, as stated in Attachment 8c. *(Check item 8c and attach a statement providing the information required by items 7a–e and 8 for each defendant.)*

8. a. ☐ The notice in item 7a was served on the defendant named in item 7a as follows:

- (1) ☐ by personally handing a copy to defendant on (date): \_\_\_\_\_
- (2) ☐ by leaving a copy with (name or description): \_\_\_\_\_, a person of suitable age and discretion, on (date): \_\_\_\_\_ at defendant's ☐ residence ☐ business AND mailing a copy to defendant at defendant's place of residence on (date): \_\_\_\_\_ because defendant cannot be found at defendant's residence or usual place of business.
- (3) ☐ by posting a copy on the premises on (date): \_\_\_\_\_ AND giving a copy to a person found residing at the premises AND mailing a copy to defendant at the premises on (date): \_\_\_\_\_
  - (a) ☐ because defendant's residence and usual place of business cannot be ascertained OR
  - (b) ☐ because no person of suitable age or discretion can be found there.
- (4) ☐ *(Not for 3-day notice; see Civil Code, § 1946 before using)* by sending a copy by certified or registered mail addressed to defendant on (date): \_\_\_\_\_
- (5) ☐ *(Not for residential tenancies; see Civil Code, § 1953 before using)* in the manner specified in a written commercial lease between the parties.

b. ☐ (Name): \_\_\_\_\_

was served on behalf of all defendants who signed a joint written rental agreement.

c. ☐ Information about service of notice on the defendants alleged in item 7f is stated in Attachment 8c.

d. ☐ Proof of service of the notice in item 7a is attached and labeled Exhibit 3.

PLAINTIFF (Name):  DEFENDANT (Name):	CASE NUMBER:
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9. ☐ Plaintiff demands possession from each defendant because of expiration of a fixed-term lease.
10. ☐ At the time the 3-day notice to pay rent or quit was served, the amount of **rent due** was \$
11. ☐ The fair rental value of the premises is \$ \_\_\_\_\_ per day.
12. ☐ Defendant's continued possession is malicious, and plaintiff is entitled to statutory damages under Code of Civil Procedure section 1174(b). *(State specific facts supporting a claim up to \$600 in Attachment 12.)*
13. ☐ A written agreement between the parties provides for attorney fees.
14. ☐ Defendant's tenancy is subject to the local rent control or eviction control ordinance of *(city or county, title of ordinance, and date of passage)*:

Plaintiff has met all applicable requirements of the ordinances.

15. ☐ Other allegations are stated in Attachment 15.
16. Plaintiff accepts the jurisdictional limit, if any, of the court.

**17. PLAINTIFF REQUESTS**

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|---|--|
| <ol style="list-style-type: none"> <li>a. possession of the premises.</li> <li>b. costs incurred in this proceeding:</li> <li>c. <input type="checkbox"/> past-due rent of \$</li> <li>d. <input type="checkbox"/> reasonable attorney fees.</li> <li>e. <input type="checkbox"/> forfeiture of the agreement.</li> </ol> | <ol style="list-style-type: none"> <li>f. <input type="checkbox"/> damages at the rate stated in item 11 from <i>(date)</i>: _____ for each day that defendants remain in possession through entry of judgment.</li> <li>g. <input type="checkbox"/> statutory damages up to \$600 for the conduct alleged in item 12.</li> <li>h. <input type="checkbox"/> other <i>(specify)</i>:</li> </ol> |
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18. ☐ Number of pages attached *(specify)*: \_\_\_\_\_

**UNLAWFUL DETAINER ASSISTANT (Bus. & Prof. Code, §§ 6400–6415)**

19. *(Complete in all cases.)* An unlawful detainer assistant ☐ did **not** ☐ did for compensation give advice or assistance with this form. *(If plaintiff has received **any** help or advice for pay from an unlawful detainer assistant, state:)*

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>a. Assistant's name:</li> <li>b. Street address, city, and zip code:</li> </ol> | <ol style="list-style-type: none"> <li>c. Telephone No.:</li> <li>d. County of registration:</li> <li>e. Registration No.:</li> <li>f. Expires on <i>(date)</i>:</li> </ol> |
|--|---|

Date:

(TYPE OR PRINT NAME)	(SIGNATURE OF PLAINTIFF OR ATTORNEY)
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**VERIFICATION**

*(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)*

I am the plaintiff in this proceeding and have read this complaint. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)	(SIGNATURE OF PLAINTIFF )
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